

SENATE BILL 2846

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 6;  
Title 7; Title 13 and Title 68, relative to waterworks  
and sewerage system rates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 35, Part 4, is amended by  
adding the following as a new, appropriately designated section:

§ 7-35-4\_\_.

(a) Pursuant to the authority granted in § 7-35-414, the monthly sewer rate charged by a city or town shall be based on each customer's average winter water consumption as billed in the months of December through March, using a rate schedule fixed by such city or town.

(b) For sewer customers who are not water customers of the city or town, the computation of average winter water consumption shall be based upon the four-month period that most closely corresponds to that used for other customers. The established rate per one thousand (1,000) gallons above the minimum bill shall be prorated for each one hundred (100) gallons consumed.

(c) The following exceptions may be applied to the computation of monthly sewer bills based on average winter water consumption:

(1) Allowances may be made for any months affected by water leaks or other abnormalities where water consumed has not been disposed through the sanitary sewer system. Consumption for any months so affected may be deleted or adjusted in determining the average winter water consumption, subject to the approval of the governing body of the city or town.

(2) Following the four-month period on which a customers' average winter water consumption is based, if the customer's water consumption for three (3) consecutive months is less than the four-month winter average, the customer may request that the sewer billings be based on actual water consumption for each month. The use of actual water consumption, rather than the four-month average, shall be subject to the approval of the governing body of the city or town, and, if approved, shall be retroactive to the first of the three (3) consecutive months in which water consumption was less than the four-month average. Thereafter, except as provided below, the customer's sewer billing shall be based on actual water consumption for each month until the end of the next four-month winter period used to compute average water consumption. In the event of a leak causing excessive water consumption, and only in such event, the customer may request that the four-month average consumption be used again for computing the sewer bill for the affected months. No other changes in the method for computation shall be allowed otherwise.

(d) For new accounts for which an average winter water consumption has not yet been established and billed in the months of December through March, the monthly sewer bill shall be based on the above rate schedule as applied to either:

- (1) The actual water consumption for the current billing month; or
- (2) The average winter water consumption for the route in which the account is located as billed in the months of December through March, whichever is lower.

(e) For new accounts that represent homes or other facilities that are under construction, such customers may request a credit for the period in which no sewer service was actually provided. Such credit may be granted toward normal sewer billings for a maximum of four (4) months.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.